

FILED  
U.S. DISTRICT COURT  
DISTRICT OF NEBRASKA

4:06cv03185  
4:06cv03187  
4:06cv03189

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

AUG 29 2006

2006 SEP 25 PM 1:12

**DOCKET NO. 1657**

FILED  
CLERK'S OFFICE

OFFICE OF THE CLERK

**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS  
LIABILITY LITIGATION**

**(SEE ATTACHED SCHEDULE)**

**CONDITIONAL TRANSFER ORDER (CTO-63)**

On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 360 F.Supp.2d 1352 (J.P.M.L. 2005). Since that time, 4,267 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

  
Jeffery N. Lüthi  
Clerk of the Panel

Inasmuch as no objection is  
pending at this time, the  
stay is lifted.

SEP 14 2006

CLERK'S OFFICE  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

**SCHEDULE CTO-63 - TAG-ALONG ACTIONS**  
**DOCKET NO. 1657**  
**IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY**  
**LITIGATION**

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
ALABAMA MIDDLE ALM 2 06-678	William Hazel v. Merck & Co., Inc.
ARKANSAS WESTERN ARW 5 06-5149	Owen Wallace, et al. v. Merck & Co., Inc.
CALIFORNIA EASTERN CAE 2 06-774	Salvador Monroy v. Merck & Co., Inc.
CALIFORNIA NORTHERN <del>CAN 4 06-4794</del>	<del>Patrick E. Murphy v. Merck &amp; Co., Inc., et al.</del> Opposed 9/13/06
FLORIDA NORTHERN FLN 1 06-131	Stanley Anderson v. Merck & Co., Inc., et al.
GEORGIA NORTHERN GAN 1 06-1750 GAN 1 06-1755	Millard Yancey v. Merck & Co., Inc. Howard E. Taylor v. Merck & Co. Inc.
ILLINOIS NORTHERN ILN 1 06-4089	Shirley Horwitz, et al. v. Merck & Co., Inc., et al.
KANSAS KS 2 06-2332	Sue Shipman v. Merck & Co., Inc.
MINNESOTA MN 0 06-3274 MN 0 06-3275 MN 0 06-3285	Marilyn D. Behrendt v. Merck & Co., Inc. Marcheta E. Van de Streek v. Merck & Co., Inc. Virginia Ballard, et al. v. Merck & Co., Inc.
MISSOURI EASTERN <del>MOE 4 06-1185</del> <del>MOE 4 06-1186</del> <del>MOE 4 06-1187</del> <del>MOE 4 06-1196</del>	<del>Vivian Copher, et al. v. Merck &amp; Co., Inc., et al.</del> Opposed 9/13/06 <del>Inez Kincaid, et al. v. Merck &amp; Co., Inc., et al.</del> Opposed 9/13/06 <del>Richard Helton, et al. v. Merck &amp; Co., Inc., et al.</del> Opposed 9/13/06 <del>Minnie Smith, et al. v. Merck &amp; Co., Inc., et al.</del> Opposed 9/13/06
MISSISSIPPI SOUTHERN MSS 3 06-420	Ann B. Stringfellow, etc. v. Merck & Co., Inc.
NEBRASKA NE 4 06-3183 NE 4 06-3185 NE 4 06-3187 NE 4 06-3189	Stanley L. Applegate, et al. v. Merck & Co., Inc. William E. Lindsey, Sr., et al. v. Merck & Co., Inc. Jerry R. Crofford v. Merck & Co., Inc. Duane E. Noragon, et al. v. Merck & Co., Inc.
NEW JERSEY NJ 3 06-3685	Brenda Carter v. Merck & Co., Inc.
NEW YORK EASTERN NYE 1 06-3811	Jairo Salazar v. Merck & Co., Inc.

## SCHEDULE CTO-63 - TAG-ALONG ACTIONS (MDL-1657)

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<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
NEW YORK SOUTHERN NYS 1 06-5897	Veronica Francis, etc. v. Merck & Co., Inc.
NEW YORK WESTERN NYW 6 06-6408 NYW 6 06-6409	Rosemary A. Ruisi v. Merck & Co., Inc., et al. Doris K. Roworth v. Merck & Co., Inc., et al.
OHIO NORTHERN OHN 1 06-1927	Barbara Thornhill, etc. v. Merck & Co., Inc.
OKLAHOMA EASTERN OKE 6 06-293	Irene Merritt v. Merck & Co., Inc.
OKLAHOMA NORTHERN OKN 4 06-392	Stephen N. Lynch, etc. v. Merck & Co., Inc.
OKLAHOMA WESTERN OKW 5 06-804	Richard Smith, et al. v. Merck & Co., Inc.
PENNSYLVANIA EASTERN PAE 2 06-3307	Marilyn Canavan, et al. v. Merck & Co., Inc., et al.
TEXAS EASTERN TXE 2 06-321 TXE 2 06-322	Alfonso Carmona, et al. v. Merck & Co., Inc., et al. Janie G. Pesina, et al. v. Merck & Co., Inc., et al.
TEXAS NORTHERN TXN 4 06-514	Marvin Garrett, et al. v. Merck & Co., Inc.
TEXAS SOUTHERN TXS 4 06-2630	Deborah Lynn Davis, et al. v. Merck & Co., Inc.
TEXAS WESTERN TXW 5 06-642	Lura Wurzbach v. Merck & Co., Inc.
UTAH UT 2 06-614	Garold Young, etc. v. Merck & Co., Inc.

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**DOCKET NO. 1657**  
**IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY**  
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Thomas F. Eagleton U.S. Courthouse  
111 South Tenth Street, 12th Floor  
St. Louis, MO 63102-9958

Hon. R. Barclay Surrick  
U.S. District Judge  
8614 James A. Byrne U.S. Courthouse  
601 Market Street  
Philadelphia, PA 19106-1796

Hon. Thomas W. Thrash, Jr.  
U.S. District Judge  
2188 Richard B. Russell Federal  
Building & U.S. Courthouse  
75 Spring Street, S.W.  
Atlanta, GA 30303-3361

Hon. John R. Tunheim  
U.S. District Judge  
13E U.S. Courthouse  
300 South Fourth Street  
Minneapolis, MN 55415

Hon. W. Keith Watkins  
U.S. District Judge  
F-300 Frank M. Johnson Jr. Federal  
Courthouse Annex  
One Church Street  
Montgomery, AL 36104

Hon. Ronald A. White  
U.S. District Judge  
United States District Court  
P.O. Box 1009  
Muskogee, OK 74402

Hon. Henry T. Wingate  
Chief Judge, U.S. District Court  
109 James O. Eastland U.S. Courthouse  
245 East Capitol Street  
Jackson, MS 39201

Hon. James B. Zagel  
U.S. District Judge  
Everett McKinley Dirksen U.S. Courthouse  
219 South Dearborn Street  
Chicago, IL 60604

\*\*\*\* CLERK ADDRESS LABELS (Below)  
\*\*\*\*

Christopher R. Johnson, Clerk  
523 John Paul Hammerschmidt  
Federal Building  
35 East Mountain Street  
Fayetteville, AR 72701-6420

JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

Thurgood Marshall Federal Judiciary Building

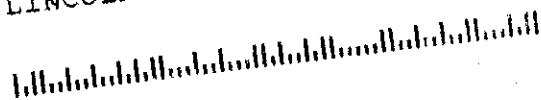
One Columbus Circle, N.E.

Room G-255, North Lobby

Washington, DC 20002-8004

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